

**ENTERED**

June 26, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISIONTHE REYNOLDS AND REYNOLDS  
COMPANY,

Plaintiff.

VS.

I3 BRANDS, INC., ET AL.,

Defendants.

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CIVIL ACTION NO. 4:19-CV-01260

**ORDER ADOPTING MAGISTRATE JUDGE'S  
MEMORANDUM AND RECOMMENDATION**

On May 4, 2020, this case was referred to United States Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1)(B). Dkt. 33, 45. Judge Edison considered Plaintiff The Reynolds and Reynolds Company's Motion To Compel Arbitration of Counterclaims, Or, In The Alternative, To Dismiss Counterclaims Under Rule 12(b)(6) ("Motion to Compel Arbitration"). Dkt. 39. On May 27, 2020, Judge Edison filed a Memorandum and Recommendation (Dkt. 53) recommending that the Motion to Compel Arbitration be **GRANTED**.

On June 10, 2020, Defendants and Third-Party Plaintiff, PartProtection, LLC, filed their Objections. Dkt. 54. In accordance with 28 U.S.C. § 636(b)(1)(C), this Court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the Court may "accept, reject, or modify, in

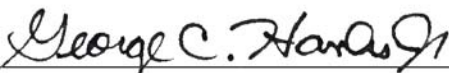
whole or in part, the findings or recommendations made by the magistrate judge.” *Id.*; see also FED. R. CIV. P. 72(b)(3).

The Court has carefully considered the Objections raised by Defendants and Third-Party Plaintiff; the Memorandum and Recommendation; the pleadings; and the record. The Court **ACCEPTS** Judge Edison’s Memorandum and Recommendation and **ADOPTS** it as the opinion of the Court. Accordingly, it is hereby **ORDERED and ADJUDGED** that:

- (1) Judge Edison’s Memorandum and Recommendation (Dkt. 53) is **APPROVED and ADOPTED** in its entirety as the holding of the Court; and
- (2) the Motion to Compel Arbitration (Dkt. 39) is **GRANTED** and the counterclaims asserted in this case must be sent to arbitration.

It is so **ORDERED**.

SIGNED and ENTERED this 26th day of June, 2020.

  
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GEORGE C. HANKS, JR.  
UNITED STATES DISTRICT JUDGE